

COM-4/053

Brussels, 29 November 2001

**OPINION**

of

the Committee of the Regions

of 15 November 2001

on the

**Proposal for a Directive of the European Parliament and of the Council**

**on the energy performance of buildings**

(COM(2001) 226 final - 2001/0098 (COD))

**The Committee of the Regions**

**Having regard to** the proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (COM(2001) 226 final - 2001/0098 (COD));

**HAVING REGARD TO** the decision of the Council of 6 June 2001, under the third paragraph of Article 175 of the Treaty establishing the European Community, to consult the Committee of the Regions;

**HAVING REGARD TO** the decision by its Bureau on 12 June 2001 to instruct Commission 4 (Spatial Planning, Urban Issues, Energy, the Environment) to draw up an opinion on this subject;

**HAVING REGARD TO** its Opinion on the Communication from the Commission to the Council and the European Parliament on preparing for the implementation of the Kyoto Protocol (CdR 295/99 fin)<sup>1</sup>;

**HAVING REGARD TO** its Opinion on a proposal for a Directive of the European Parliament and of the Council on the Promotion of Electricity from Renewable Energy Sources in the Internal Electricity Market (CdR 191/2000 fin)<sup>2</sup>;

**Having regard to** its Opinion on the communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on an

Action Plan to Improve Energy Efficiency in the European Community (CdR 270/2000 fin)<sup>3</sup>;

**HAVING REGARD TO** the Draft Opinion (CdR 202/2001 rev. 1) adopted by Commission 4 on 8 October 2001 (rapporteur: **Ms McNamara**, Member of Cork County Council, IRL/EA);

**WHEREAS** energy efficiency makes a key contribution to the requirement of climate protection and to meeting the Union's reduction obligations as agreed in Kyoto;

**adopted the following opinion unanimously at its 41st plenary session on 14 and 15 November 2001 (meeting of 15 November).**

### **Views of the Committee of the Regions**

#### **The Committee of the Regions**

1. welcomes the Commission's proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings;
2. recognises that energy efficiency makes a key contribution to the requirement of climate protection and to meeting the Union's reduction obligations as agreed in Kyoto, and recommends that the Commission continues to strive to increase its commitment to achieving its Kyoto obligation;
3. welcomes the Commission's determination, to improve energy efficiency in buildings, which will lead to a more sustainable energy policy and enhanced security of supply, and will provide a key step towards reducing greenhouse gas emission to protect the climate, as agreed in Kyoto;
4. stresses that the Directive is designed to complement and reinforce Member State activity as required under the subsidiarity principle;
5. underlines the unique position which local and municipal authorities have at the consumer level, regarding spatial planning regulation, building regulation, enforcement, and other policies;
6. emphasises the employment creating potential that the proposed Directive presents;
7. welcomes the degree of flexibility in the proposal for existing buildings especially with regard to heritage and other sensitive locations where energy efficiency measures in the building envelope may not be appropriate or feasible;

8. welcomes the specific targeting of the building envelope but would urge the Commission to strengthen the labelling scheme, and promote legislation that would urge companies to produce more energy efficient appliances;
9. welcomes the fact that public buildings and those frequented by the public will be prioritised in this Directive and emphasise how well placed local and regional authorities are in this regard;
10. welcomes initiatives to harmonise Member State activities in energy efficiency, and recognises that this is one step to make their activities more coherent in the broader European context;

## **Recommendations of the Committee of the Regions**

### **The Committee of the Regions**

11. urges the Commission to ensure that pre-accession countries would adopt energy efficiency legislation, in parallel with the existing Member States;
12. stresses the need for incremental measures, whilst recognising the need for speedy implementation of legislation - it is important that measures be adopted over a phased period, but not to the detriment of deadline already proposed;
13. stresses the need to link health and safety with energy certification of public buildings, and in so doing emphasise the necessity for the Directive to contribute to the integration of energy and environmental objectives into other policy areas;
14. emphasises the need for increased energy efficiency in publicly owned dwellings particularly since the occupants of these properties may often be more affected by fuel poverty;
15. requests that the Commission expand the Directive to ensure that life cycle analysis of the building envelope would be included in order to illustrate its impact on the carbon cycle. Thereby ensuring that consumers and regulators would see more clearly the carbon implications of products within the envelope of buildings;
16. urges the Commission to continue to promote and exploit indigenous energy sources with particular emphasis on renewables;

17. welcomes the proposal of the Commission to establish a common methodology for integrated energy performance standards, and seeks the speedy introduction of the application of these standards to new buildings and to certain existing buildings when they are being renovated;
18. welcomes a proposal to certify schemes for new and existing buildings on the basis of these new standards, and asks that not only single buildings be included, but also buildings that are within the same development where the combined floor area is greater than 1,000 m<sup>2</sup>;
19. encourages Member States and where relevant local and municipal authorities to bring forward legislation that would associate energy usage in a building with a financial incentive for the owner of that building, and also that would reward the owners of buildings that incorporate passive solar design;
20. urges the Commission to expand programmes such as the SAVE programme to include concrete measures, such as retro-fitting of buildings, in order to provide the necessary kick-start that the Directive may require;
21. points out that programmes should be introduced to include an area of activity specific to local and regional authorities, considering the implications that the Directive will have for buildings frequented by the public, as well as for local authority housing;
22. stresses the need to expand pre-accession activities especially in the areas of energy audits, and the establishment of regional and local energy offices, as well as in concrete measures;
23. points out to the Commission the central role of local and regional authorities in energy management, and in particular would highlight the potential of the SAVE energy management agencies in assisting in the implementation of this Directive in cities, regions, and islands throughout the EU and in pre-accession countries;
24. stresses the need to ensure that, in the absence of harmonisation, where some Member States apply legislation in advance of another, trade between the Member States would not be adversely affected.

Brussels, 15 November 2001.

The President

The Secretary General

of the  
Committee of the Regions

of the  
Committee of the Regions

**Jos Chabert**

**Vincenzo Falcone**

<sup>1</sup> OJ C 57 of 29.02.2000, p. 81

<sup>2</sup> OJ C 22 of 24.01.2001, p. 27

<sup>3</sup> OJ C 144 of 16.05.2001, p. 17

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CdR 202/2001 rev 1

CdR 202/2001 fin EN/o

CdR 202/2001 fin EN/o

CdR 202/2001 fin EN/o